

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

DARRELL LEE KING,	)	
	)	
<i>Plaintiff,</i>	)	No. 1:09-cv-331
	)	
v.	)	<i>Chief Judge Curtis L. Collier</i>
	)	
MARION COUNTY SHERIFF'S DEPT.;	)	
SHERIFF RONNIE (BO) BURNETT;	)	
DR. BRENDA K. SOWTER, MEDICAL	)	
DIRECTOR; NURSE ARLENE RIDELL;	)	
M.C.S.D. ADMINISTRATOR TAMMY	)	
MCALPIN; and JODIE BURNETT, HEAD	)	
OF KITCHEN;	)	
	)	
<i>Defendants.</i>	)	

**MEMORANDUM**

Darrell Lee King ("King"), a *pro se* prisoner, has filed a civil rights complaint pursuant to 42 U.S.C. § 1983 [Court File No. 1]. On June 28, 2010, the Court issued an order directing King to complete the service packets and return them to the District Court Clerk within twenty (20) days from the date of receipt of the order [Court File No. 4]. King was forewarned that failure to return the completed service packet within the time required could jeopardize his case.

King has not responded to the Court's June 28, 2010, Order. King's failure to timely respond to the Court's Order results in a finding by the Court that King has failed to comply with its Order. Consequently, the Court will dismiss King's complaint for noncompliance with its Order and failure to prosecute.

Rule 41(b) of the Federal Rules of Civil Procedure allows a court to dismiss an action *sua sponte* for failure to prosecute or for failure to comply with the federal rules or any court order.

This authority is based on the Court's inherent authority to control its docket and prevent undue delays in the disposition of pending cases. *Roadway Exp., Inc. v. Piper*, 447 U.S. 752, 765 (1980) (“The authority of a federal trial court to dismiss a plaintiff’s action with prejudice because of his failure to prosecute cannot seriously be doubted. The power to invoke this sanction is necessary in order to prevent undue delays in the disposition of pending cases and to avoid congestion in the calendars of the District Courts.’”) (quoting *Link v. Wabash R. Co.*, 370 U.S. 626, 632 (1962)).

Therefore, this action will be **DISMISSED** for King’s failure to prosecute and to comply with the orders of this Court. Fed. R. Civ. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991).

A judgment will enter.

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**